

REMARKS

This is in response to the Office Action dated September 29, 2004. Claims 1-19 remain pending.

Initially, it is noted that the US references listed on page 2 of the PTO-1449 filed with the IDS filed June 14, 2004 have not been initialed. Thus, it is respectfully requested that the Examiner provide the undersigned with an initialed copy of the PTO-1449 filed in the IDS dated June 14, 2004 where all US references listed have been initialed.

Additionally, it is noted that certain JP references were crossed out on the PTO-1449 and "not found" was written in the margin. While it is believed that these references were filed with the IDS dated June 14, 2004, another IDS has been filed herewith including these references in order to render this issue moot.

The Office Action acknowledges applicants' foreign priority claim under Section 119. However, the Office Action has not acknowledged the fact that the USPTO as received the certified copies of the priority documents that have been filed by applicants. Applicants filed the certified copies of the priority documents on June 23, 2003. Thus, it is respectfully requested that the Examiner acknowledge applicants' foreign priority claim and also acknowledge the fact that the certified copies of the foreign priority documents have been received by the USPTO.

Claims 1-6 and 9-12 stand rejected under the doctrine of obviousness-type double patenting. While applicant does not necessarily agree with this rejection, a terminal disclaimer has been filed herewith in order to render this issue moot and to expedite prosecution.

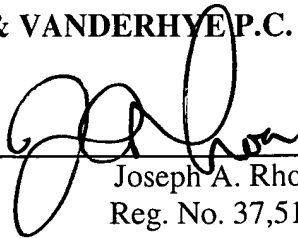
All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

KUBO, M. et al.
Appl. No. 10/601,307
December 29, 2004

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____

A handwritten signature in black ink, appearing to read 'J. Rhoa', is written over a horizontal line.

Joseph A. Rhoa
Reg. No. 37,515

JAR:caj
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100